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Discussion paper released on "freedom-of-information"

Secretary of State John Roberts recently tabled in the House of Commons the Government's green paper, *Legislation on Public Access to Government Documents*, which sets out the implications for Government of alternative approaches that might be adopted in legislation on "freedom of information". Mr. Roberts expressed the hope that the document would serve as the basis for broad public discussion of the issue. The Government has adopted no final position with respect to the considerations raised, and will follow closely discussion of them by the public and by the Standing Joint Committee on Regulations and other Statutory Instruments.

The Government believes in the basic principle that information developed at public expense ought to be publicly available wherever possible. Furthermore, it recognizes that government documents often contain information vital to the effective participation of citizens and organizations in public decision-making. Finally, the Government regards citizens' access to documents concerning the basis of management and the investigation of public problems as an element of monitoring. Such an element might help to maintain the probity of administration, the

consistency of the handling of individual cases, and the quality of the analysis of policies and programs.

Concerning "freedom of information", the Government realizes that an appropriate degree of privacy protects basic public and private interests such as personal privacy, efficient handling of public monies, effective law enforcement and harmonious international and federal-provincial relations. In addition, respect for the fundamental principles of the Canadian system of government - the collective responsibility of Cabinet and the individual responsibility of Cabinet ministers, the anonymity and political neutrality of the Public Service - requires a minimum of confidentiality in the governing process.

Exemptions

A policy to increase by law public access to government documents would therefore involve a principle of "open access subject to specified exemptions", where the exemptions represent the public interest in confidentiality. The question of exemptions is complex, and the examples put forward in the paper are intended to serve as no more than a point of departure for purposes of discussion. The green paper includes a set of exemptions covering those documents the disclosure of which, or the release of information in which, might:

- (a) be injurious to international relations, national defence or security or federal-provincial relations;
- (b) disclose a confidence of the Queen's Privy Council for Canada;
- (c) disclose information obtained or prepared by any government institution or part of a government institution, that is an investigative body: in relation to national security; in the course of investigations pertaining to the detection or suppression of crime generally; or in the course of investigations pertaining to the administration or enforcement of any act of Parliament;
- (d) disclose personal information as defined in Part IV of the Canadian

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Secretary of State John Roberts

Pipeline debate

As this issue was going to press on August 4, Members of Parliament were returning to the Commons after a short break to debate the location of a possible gas pipeline from the North. Details in a subsequent issue.

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